

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RONALD HERNIGLE,

Plaintiff,

v.

ALON CORP., et al,

Defendants.

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CIVIL ACTION NO. 3:08-CV-02085-B

ORDER ADOPTING THE FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

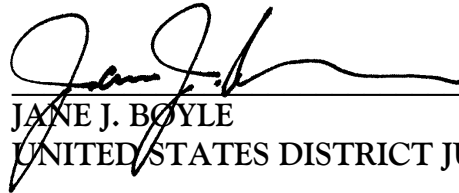
Before the Court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (doc. 10) and Plaintiff's Objections to the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (doc. 11). Included with his Objections, Plaintiff also made a motion for recusal of the magistrate judge in this case for alleged bias. The magistrate judge has denied the Motion for Recusal and the Court finds that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are not based on bias or prejudice of the magistrate judge.

After reviewing the Objection to the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and after conducting a *de novo* review of those parts of the Findings, Conclusions, and Recommendation to which the Objection has been made, Plaintiff's Objection (doc. 11) is **OVERRULED**. The Court is of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge (doc. 10) are correct and they are accepted as the Findings of the Court.

Therefore, it is **ORDERED, ADJUDGED, and DECREED** that this action is **DISMISSED**
for lack of subject-matter jurisdiction.

SO ORDERED.

SIGNED February 13, 2009



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE